

## REMARKS

### *Status of the Claims*

Claims 14, 18, 19 and 23 have been amended, Claims 1-13, 16, 17, 21, 22, 24, and 25 have been cancelled without prejudice or disclaimer of the subject matter recited therein..

Claims 14 and 19 are independent. Claims 14, 15, 18, 19, 20, and 23 are pending.

### *Requested Action*

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

### *Formal Claim Rejection*

Claim 24 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. In response, while not conceding the propriety of the rejection, this claim has been canceled without prejudice, thereby rendering the rejection moot.

### *Substantive Claim Rejection*

Claims 1-25 are rejected under 35 U.S.C. §102(e) as being anticipated by Tamura et al. (U.S. Patent No. 6,806,978).

In response, while not conceding the propriety of the rejection, independent Claims 14 and 19 have been amended and Claims 1-13, 16, 17, 21, 22, 24, and 25 have been cancelled without prejudice. Applicants submit that as amended, independent Claims 14 and 19 are allowable for the following reasons.

Independent Claim 14 is directed to a communication apparatus which receives data from an image supply device via a communication interface. The apparatus comprises acquisition means, decision means, and segmentation means.

Claim 14 has been amended to recite that the acquisition means is for, upon reception of a data transmission request from the image supply device, acquiring information indicating the type of target data corresponding to the transmission request, wherein the data transmission request is issued by the image supply device when the image supply device has the target data to be transmitted to the communication apparatus. Claim 14 has also been amended to recite that the decision means is for deciding to segment the target data and receive the segmented target data a plurality of number of times from the image supply device in the case that the information indicates that the target data is image data, or to receive the target data at once from the image supply device in the case that the information indicates that the target data is script data.

Claim 14 has been further amended to recite that the segmentation process means is for, in the case that the target data is image data, requesting partial data of the target data from the image supply device a plurality of number of times, and receiving and processing each partial data.

These features correspond, but are not limited to, to steps S51-S54 in Figure 15.

In contrast, the patent to Tamura et al. is not understood to disclose or suggest decision means for deciding to segment the target data and receive the segmented target data a plurality of number of times from the image supply device in the case that acquired information indicating the type of target data indicates that the target data is image data, or to receive the target data at once from the image supply device in the case that the information indicates that the target data is

script data, and segmentation process means for, in the case that the target data is image data, requesting partial data of the target data from the image supply device a plurality of number of times, and receiving and processing each partial data, as recited by amended Claim 14.

Rather, this patent is understood to merely disclose an image capturing and printing apparatus having an electronic camera section and a printing section, each with different memories, where 1) the remaining memory capacities of the memories are compared and image signals are stored in the memory with the larger remaining capacity, and 2) the apparatus determines whether or not the next image capturing is possible based on the remaining amount of the memory, and if it is possible, 1 line of image data is transferred to and stored in the print section, where it is printed. But this patent is not understood to disclose or suggest the deciding to receive target data at once from an image supply device in the case that acquired information indicates that the target data is script data, or the requesting of partial data of the target data from an image supply device in the case that the target data is image data. In other words, Tamura is not understood to decide to send partial data in accordance with a type of image data to be transmitted from the camera section to the printing section.

For these reasons, amended Claim 14 is not understood to be anticipated by the patent to Tamura et al. Therefore, Applicants respectfully request that the rejection of Claim 14 be withdrawn. And because Claim 19 is a corresponding method claim that has been amended in a similar manner, Applicants submit that Claim 19 is allowable for similar reasons. Therefore, Applicants respectfully request that the rejection of Claim 19 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

*Conclusion*

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Gary M. Jacobs/

---

Gary M. Jacobs  
Attorney for Applicants  
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
GMJ:ntb

FCHS\_WS 1922039v1